

2007 State Agency Biennial Report

Name of Agency: _____

Contact Person: _____

Mailing Address: _____

Phone: (_____) _____ Fax: (_____) _____

E-mail: _____

This agency has reviewed its conflict-of-interest code and has determined that:

- ☐ The code needs to be amended and the following amendments are necessary:
(Check all that apply)

Substantive

☐ Include new positions (including consultants)

☐ Revise disclosure categories

☐ Other _____

Non-Substantive

☐ Revise the titles of existing positions

☐ Modification of any provision of a code, provided no disclosure or disqualification obligations are disturbed

☐ Delete titles of positions that have been abolished

☐ Other _____

- ☐ No amendments necessary. The agency's code accurately designates all positions which make or participate in the making of governmental decisions; the disclosure assigned to those positions accurately requires the disclosure of all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by employees in these designated positions; and the code includes all other provisions required by Government Code section 87302.

Signature of Chief Executive Officer

Date

You must complete this report regardless of how recently your code was approved or amended. Please complete and return this report, by **March 1, 2007**, to:

Fair Political Practices Commission
ATTN: Technical Assistance Division
428 J Street, Ste. 620
Sacramento, CA 95814
Fax: (916) 322-3711

How to Amend a State Agency Conflict-of-Interest Code

The following guidelines are a brief description of the steps that are necessary to amend a conflict-of-interest code. Additional information may be required depending on the specific amendment. Please contact the FPPC at (916) 322-5660 or toll free at (866) ASK-FPPC for assistance.

Non-Substantive Amendments

1. Send the FPPC a letter describing the proposed amendment.
2. Include a copy of the entire code showing the changes in strikeout/underscore format. (See sample below.)
3. Include a declaration by the chief executive officer. (See sample below.)

Substantive Amendments

1. Prepare an initial proposed amendment.
2. Prepare a Notice of Intention. A comment period is required.
3. File the Notice of Intention with the Office of Administrative Law (OAL) at least 60 days before the close of the comment period.
4. Provide notice to each employee affected by the proposed amendment.
5. File a copy of the Notice of Intention (endorsed by OAL) with the FPPC at least 45 days before the close of the comment period.
6. Submit to the FPPC three copies of the proposed code amendment in strikeout/underscore format accompanied by one copy of each of the following:
 - a. A declaration by the Chief Executive Officer.
 - b. A summary of any hearing, including the names and addresses of any participants.
 - c. Copies of all written comments.
 - d. Written justification for all changes.
 - e. The most current organizational chart of the agency.
 - f. Job descriptions of all positions affected by the changes.

Example strikeout/underscore format

A. LEGAL OFFICE <u>LEGAL AFFAIRS DIVISION</u>	
1. Chief Counsel, CEA II	2
2. Assistant Chief Counsel	2
3. Staff Counsel III (Supv)	2
4. 3. Staff Counsel III (Spec)	2
5. 4. Staff Counsel	2
The Legal Office became Legal Affairs Division.	
The Staff Counsel III (Supv) was reclassified to Assistant Chief Counsel.	

Sample declaration signed by executive officer:

The proposed conflict-of-interest code specifically enumerates each of the positions within the (name of agency) that involve the making or participation in the making of decisions that may foreseeably have a material financial effect on any financial interest. The agency has satisfied all of the requirements of Title 2, Division 6 of the California Code of Regulations §18750(c) preliminary to approval of the proposed code.

**NOTICE OF INTENTION TO AMEND THE CONFLICT-OF-INTEREST CODE
OF THE (NAME OF YOUR AGENCY)**

NOTICE IS HEREBY GIVEN that the (insert the name of your agency), pursuant to the authority vested in it by section 87306 of the Government Code, proposes to adopt its Conflict-of-Interest Code. The purpose of the code is to implement the requirements of Government Code sections 87300 through 87302.

The (insert the name of your agency) proposes to amend its Conflict-of-Interest Code to (describe in brief terms the provisions of the code to be amended.).

Copies of the proposed amendments to the code are available and may be requested from the contact person listed below.

Any interested person may submit written statements, arguments, or comments relating to the proposed amendments by submitting them in writing no later than (insert the last day of your 45-day comment period), or at the conclusion of the public hearing, if any, whichever comes later, to the contact person listed below.

At this time, no public hearing has been scheduled concerning the proposed amendments. If any interested person or that person's representative requests a public hearing, he or she must do so not later than (insert the date that would be 15 days before the close of your written comment period), by contacting the contact person listed below.

The (insert name of your agency) has prepared a written explanation¹ of the reasons for the proposed amendments and has available the information on which the amendments are based. Copies of the proposed amendments, the written explanation of the reasons, and the information on which the amendments are based may be obtained by contacting the contact person listed below.

All inquiries concerning the proposed amendments and any communication required by this notice should be directed to:

(Insert the name of your contact person)
(Insert the address)
(Insert the telephone number)

¹This "written explanation" should just be a short document outlining why specific positions are designated in your code. Note: This footnote is for your informational purposes only and is not intended to be part of your notice.